

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION
OF THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX
REFUND SCHEME LITIGATION,

This document relates to: 1:18-cv-05053; 1:18-
cv-05374; 1:18-08655; 1:18-cv-09797; 1:18-
cv-10100

MASTER DOCKET

Case No. 1:18-md-02865-LAK

STIPULATION EXTENDING TIME
TO RESPOND TO AMENDED
THIRD-PARTY COMPLAINT

Third-Party Plaintiffs the Goldstein Law Group PC 401(k) Profit Sharing Plan and Sheldon Goldstein (the “Goldstein Parties”); DW Construction, Inc. Retirement Plan, Kamco Investments, Inc. Pension Plan, Kamco LP Profit Sharing Pension Plan, Linden Associates Defined Benefit Plan, Moira Associates LLC 401K Plan, Riverside Associates Defined Benefit Plan, American Investment Group of New York, L.P. Pension Plan, Stacey Kaminer, Joan Schulman, and David Schulman (the “Utah Parties”); Newsong Fellowship Church 401(k) Plan and Alexander Jamie Mitchell, III (the “Newsong Parties”); and Del Mar Asset Management Savings and Retirement Plan, Federated Logistics LLC 401K Plan, and David Freelove (the “Del Mar Parties” and collectively with the Goldstein Parties, the Utah Parties, and the Newsong Parties, the “Third-Party Plaintiffs”), and Third-Party Defendant, ED&F Man Capital Markets, Ltd. (“ED&F Man” or “Third-Party Defendant”), by and through their undersigned attorneys, hereby stipulate and agree as follows:

WHEREAS on November 5, 2019 the Goldstein Parties filed their Amended Answer, Affirmative Defenses, and Counterclaims Against Skatteforvaltningen and Amended Third-Party

Complaint against ED&F Man Capital Markets, Ltd. and John Does 1-10 (the “Goldstein Third-Party Complaint”) (Dkt. 219);

WHEREAS on November 19, 2019 the Court entered the Parties’ first request upon stipulation to modify ED&F Man’s response date to the Goldstein Third-Party Complaint (Dkt. 229);

WHEREAS on December 6, 2019 ED&F Man filed a Motion to Dismiss the Goldstein Third-Party Complaint under Fed. R. Civ. P. 12(b)(2) and on *forum non conveniens* grounds (Dkt. 239);

WHEREAS on January 7, 2020 the Court denied ED&F Man’s Motion to Dismiss the Goldstein Third-Party Complaint (Dkt. 255);

WHEREAS on August 12, 2019 Utah Parties filed their Amended Third-Party Complaint on November 13, 2019 (the “Utah Third-Party Complaint”) (Dkt. 226);

WHEREAS on December 5, 2019 the Court entered ED&F Man and the Utah Parties’ first request upon stipulation to modify ED&F Man’s response date to the Utah Third-Party Complaint to January 16, 2020 (Dkt. 237);

WHEREAS the Newsong Parties filed their Amended Third-Party Complaint on November 12, 2019 (the “Newsong Third-Party Complaint”) (Dkt. 225);

WHEREAS on December 5, 2019 the Court entered ED&F Man and the Newsong Parties’ first request upon stipulation to modify ED&F Man’s response date to the Newsong Third-Party Complaint to January 16, 2020 (Dkt. 238);

WHEREAS on November 12, 2019 the Del Mar Parties filed their Third-Party Complaint against ED&F (the “Del Mar Third-Party Complaint”) (Dkt. 220);

WHEREAS on December 19, 2019 the Court entered ED&F Man and the Del Mar Parties' first request upon stipulation to modify ED&F Man's response date to the Del Mar Third-Party Complaint to January 16, 2020 (Dkt. 246);

WHEREAS the Third-Party Plaintiffs and Third-Party Defendant have agreed that ED&F Man will file a pleading responsive to each of the Third-Party Complaints on or before February 14, 2020;

WHEREAS this is first request to adjourn ED&F Man's date to answer the Goldstein Third-Party Complaint following the Court's decision on ED&F Man's motion to dismiss the Goldstein Third-Party Complaint; and

WHEREAS this is the second request to modify ED&F Man's response date to the Utah Third-Party Complaint, the Newsong Third-Party Complaint, and the Del Mar Third-Party Complaint;

NOW THEREFORE, the Parties hereby stipulate and agree that ED&F Man will serve a responsive pleading to each of the aforementioned Third-Party Complaints on or before February 14, 2020.

Dated: January 15, 2020

GUSRAE KAPLAN NUSBAUM PLLC
120 Wall Street, 25th Floor
New York, NY 10005
(212) 269-1400

AKERMAN LLP
666 Fifth Avenue, 20th Floor
New York, NY 10103
(212) 880-3800

By: /s/ Kari Parks
Attorneys for the Goldstein Parties

By: /s/ Brian S. Fraser
*Attorneys for Third-Party Defendant
ED&F Man Capital Markets, Ltd.*

K&L GATES LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02111
(617) 261-3100

By: /s/ Brandon R. Dillman
Attorneys for the Utah Parties and the Newsong Parties

KOSTELANETZ & FINK LLP
7 World Trade Center, 34th Floor
New York, NY 10007
(212) 808-8100

By: /s/ Bryan Skarlatos
Attorneys for the Del Mar Parties

SO ORDERED:

United States District Judge